

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ELLSWORTH LARSON,

Plaintiff,

v.

OLD DOMINION FREIGHT LINE, INC.
EMPLOYEE BENEFIT PLAN, and BENEFIT
MANAGEMENT SERVICES, INC.,

Defendants.

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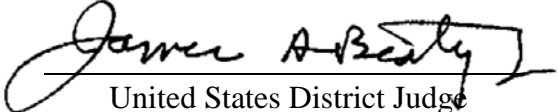
JUDGMENT

BEATY, Chief Judge.

For the reasons set forth in the Order filed contemporaneously herewith adopting the United States Magistrate Judge's Recommendation dated February 22, 2007,

IT IS ORDERED AND ADJUDGED that the Motion for Summary Judgment [Document #16] filed by Defendants Old Dominion Freight Line, Inc. Employee Benefit Plan and Benefit Management Services, Inc. is GRANTED, the Motion for Summary Judgment filed by Plaintiff Ellsworth Larson [Document #19] is DENIED, and this case is hereby DISMISSED WITH PREJUDICE.

This, the 28th day of March, 2007.


United States District Judge